

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

ROBERT EKSTEDT,

Plaintiff,

vs.

GEICO GENERAL INSURANCE
COMPANY,

Defendant.

No. CV-19-84-H-SEH

ORDER

On March 4, 2020, the Court issued an Order,¹ which recited, in part:

7. Expert reports for any witness retained or specially employed to provide expert testimony, or whose duties as an employee of a party involve giving expert testimony, are required. Such reports shall comply with Fed. R. Civ. P. 26(a)(2)(B) and the requirements of this Order and are to include:

- a. A separate statement of each opinion to be offered.
- b. Specific identification of and source citations to facts or data considered, referenced, or relied upon by the witness in forming each of the opinions expressed. *Copies of all documents and data considered,*

¹ See Doc. 10.

referenced, or relied upon shall be attached as exhibits to the report when filed.

c. A separate statement of the bases and reasons for each of the opinions.²

....

8. Separate written disclosures of all non-retained experts (expert witnesses not obliged to provide a Fed. R. Civ. P. 26(a)(2)(B) written report) are required. Such disclosures must address and include all information required by Fed. R. Civ. P. 26(a)(2)(A) and (C) and shall include:

a. A separate statement of each opinion to be offered.

b. Specific identification of and source citations to facts or data considered, referenced, or relied upon by the witness in forming the each of the opinions expressed. *Copies of all documents and data considered, referenced, or relied upon shall be attached as exhibits to the written disclosure when filed.*

c. A separate statement of the bases and reasons for each of the opinions.³

Plaintiff's Rule 26 Disclosure of Retained and Non-Retained Experts⁴ filed on August 6, 2020, did not include as attachments "[c]opies of all documents and

² Doc. 10 at 5–6 (emphasis added).

³ Doc. 10 at 6–7 (emphasis added).


⁴ See Doc. 13.

data considered, referenced, or relied upon”⁵ by retained and non-retained expert witnesses in forming opinions expressed, as required by the Court’s March 4, 2020, Order.⁶

ORDERED:

Plaintiff shall file an amended expert witness disclosure, including as attachments “[c]opies of all documents and data considered, referenced, or relied upon”⁷ by retained and non-retained expert witnesses on or before **August 24, 2020**.

DATED this 17th day of August, 2020.



SAM E. HADDON
United States District Judge

⁵ Doc. 10 at 5–7.

⁶ See Doc. 10.

⁷ See Doc. 10 at 5–7.